

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 27 2010
Commissioners Courtroom
Hamilton County Government and Judicial Center
One Hamilton County Square
Noblesville, Indiana

The Commissioners met in Executive Session at 12:15 p.m. in Conference Room 1A. President Dillinger called the public session to order at 1:00 p.m. declaring a quorum present of Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Commissioner Christine Altman was absent. Dillinger led the Pledge of Allegiance.

**MINUTES
EXECUTIVE SESSION MEMORANDA**

Holt moved to approve the minutes of September 13, 2010 and September 16, 2010 and the Executive Session Memoranda of September 27, 2010. Dillinger seconded. Motion carried unanimously.

HIGHWAY BUSINESS

Acceptance of Bonds/Letters of Credit – Highway

Mr. Jim Neal requested the acceptance of Bonds and Letters of Credit for highway projects. Holt so moved. Dillinger seconded. Motion carried unanimously.

- HCHD #B-92-0052 – Fidelity and Deposit Companies Continuation Certificate and Rider for Annual Permit Bond #30359069 issued on behalf of The Snider Group, Inc. in the sum of \$25,000 for blanket road cut to expire September 17, 2011.
- HCHD #B-10-0029 – The American Institute of Architects Performance and Payment Bond #INC 46903 issued on behalf of Gridlock Traffic Systems, Inc., in the sum of \$10,000 for items described in Category 8a & 8h of Hamilton County Highway Department bid request of February 8, 2010 to expire February 17, 2011.

Agreements/Supplements

116th Street & Olio Road

Neal requested approval of Supplemental Agreement #1 with First Group Engineering, Inc. for the pavement maintenance on 116th Street and Olio Road in the amount of \$7,806.97 for a total contract amount of \$77,506.97 with \$69,700.00 reimbursed by the State. Holt so moved. Dillinger seconded. Motion carried unanimously.

Bridge #184

Neal requested approval of Engineering Supplemental Agreement #2, HCHD #E-09-0016, with Bernardin, Lochmueller and Associates, Inc., to provide additional surveying services for the rehabilitation of Hamilton County Bridge #184, Brooks School Road over Sand Creek. Holt so moved. Dillinger seconded. Motion carried unanimously.

Announcements

Highway Meeting

Mr. Brad Davis reported the highway meeting is set for Thursday, October 7, 2010 at 7:30 a.m. at the highway department.

Safety Funding Applications

Davis reported Hamilton County has been awarded all of the federal safety funding that was applied for. One of the projects is 206th Street and Overdorf Road.

COMMISSIONER COMMITTEE REPORTS

4-H Liaison

Holt reported that a group of people gathered last week at the Hamilton County Fairgrounds to reminisce about the old days of agriculture with a poet in attendance writing their memories down. This information will be used in writing the poem for the Llama Barn, which should be painted on the barn within the next 30 days.

ATTORNEY

Liability Trust Claim

Mr. Mike Howard requested approval of a Liability Trust claim payable to Drewry Simmons Vornehm in the amount of \$12,476.39 for their work on the 96th Street and Mollenkopf project. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Howard requested approval of a Liability Trust claim payable to Kreig DeVault, LLP in the amount of \$450.00 for employee benefit services rendered. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

AUDITOR

Meal Expense Authorization – Prosecutor

Ms. Dawn Coverdale presented a request to authorize payment of meal expense(s) for the Prosecutor's office in the amount of \$34.99. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

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Liability Trust Claim

Coverdale requested approval of a Liability Trust claim payable to Aim Right, Inc. in the amount of \$201.50 for fire extinguisher training. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Clerk's Monthly Report

Holt moved to accept the monthly report from the Clerk of the Circuit Court dated August 31, 2010. Dillinger seconded. Motion carried unanimously.

Payroll Claims

Holt moved to approve payroll claims for the period of August 23 thru September 5, 2010 paid September 17, 2010 and September 6-19, 2010 paid October 1, 2010. Dillinger seconded. Motion carried unanimously.

Vendor Claims

Holt moved to approve vendor claims to be paid September 28, 2010 and authorization to pay meal expenses for the County Extension Office in the amount of \$40.60 and \$59.99. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Meal Expenses

Coverdale stated she will ask the Accounts Payable staff to send an e-mail to all departments reminding them that the authorization to purchase meals with county funds must be approved by the Commissioners prior to the event, not after the fact.

Juvenile and Jail Detention Funds

Coverdale reported that Mike Howard will be presenting an ordinance to the Commissioners at their next meeting that will move the Juvenile Detention and Jail Detention funds directly into the County General Fund with separate line items.

DIRECTOR OF ADMINISTRATION

Burn Ban

Mr. Dan Stevens reported that the Burn Ban has not been relinquished at this time and the county's fire chiefs have determined it will take two (2) inches of continuous rainfall before they will lift the burn ban.

Dillinger stated he reported a campfire to the Sheriff's Department over the weekend where he was forwarded to the Noblesville Fire Department and then a fire truck was dispatched. Dillinger asked Sheriff Carter why the county would not send out a deputy to tell them to put the fire out? Sheriff Carter replied that the fire chiefs came to the Commissioners requesting the burn ban and have agreed that the first notification would be handled by their department(s) and then if there is not compliance they would call in law enforcement.

Water, Insect Repellant and Sunscreen Policy

Stevens presented the proposed policy on supplying water, insect repellant and sunscreen to county employees. Holt moved to approve. Dillinger seconded. Motion carried unanimously. Stevens will e-mail the policy to the department heads.

County Auction

Stevens presented the final list of surplus property to be auctioned on October 9, 2010 at 9:00 a.m. The list of vehicles from the Sheriff's Department is forfeitures, not county property, but they will be included in the auction. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Stevens complimented the Buildings and Grounds staff and highway staff for their teamwork in moving the surplus property to the point of sale. The auctioneer was taken to the site this morning to view the property and a meeting was held with Kim Rauch of the Auditor's office to review the specifics of the auction.

Stevens asked how is a governmental entity handled if they come to the auction and want to bid on something? Howard stated it has to be pulled out prior to the advertisement and sale. Holt stated the Commissioners have always approved transfers to other entities in the past.

Ford 250 Pick-Up Truck Transfer

Stevens requested approval of the transfer of a Ford 250 Pick-up truck and plow from the auction sale list to the Buildings and Grounds Department to be used for snow removal at the Fairgrounds and Sheriff's Department. Holt so moved. Dillinger seconded. Motion carried unanimously.

Safety Risk Manager's Vehicle

Stevens reported it has been discussed that Chuck Kiphart and Dan Papineau share a vehicle and the Plan Commission's vehicle could be placed in the sale; he will check with Mr. Kiphart.

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Banner on Courthouse Square

Stevens reported that Carpenter Realtors has requested permission to display a banner on the courthouse square for an open house. The Commissioners confirmed banners on the square are for not for profit organizations only. Dillinger recommended they contact the City of Noblesville to run their event on their electronic sign.

Child Support Intact Paperless Project

Stevens reported that the Prosecutor's Child Support Division has completed the Intact Paperless Project. The project digitalized all of their open case files at a cost of \$55,000 which was paid for with federal incentive funds. Approximately 3,500 files have been scanned and removed from their office eliminating the need for a rolling filing system which then freed up space for two (2) employees.

Employee Recognition Luncheon

Stevens reminded the Commissioners that a decision needs to be made on whether to hold the Employee Recognition Luncheon this year as the space will need to be reserved soon.

Ukraine Delegation Court Visit

Stevens reported a delegation from Ukraine, sponsored by the Carmel Rotary Club, will be visiting the courts on Thursday, September 30, 2010 at 9:00 a.m.

Association of County Commissioners Conference

Stevens informed the Commissioners of the annual Association of County Commissioners Conference scheduled for November 29 to December 2, 2010. Dillinger is unable to attend. Holt asked Stevens to remind them at the next meeting.

Baker & Daniels Letter of Engagement

Stevens reported Commissioner Altman has requested approval and signature on the Letter of Engagement from Baker & Daniels for lobbyist services for the 911 Wireless Fees/2011 Indiana Legislature. Funding is in the 2011 budget. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

HAMILTON COUNTY FAIRGROUNDS

2010 Annual Report

Mr. Chuck Rushmore, 4-H Buildings & Grounds Committee, presented the 2010 Hamilton County Fairgrounds & Exhibition Center Annual Report. Estimated rental income by year-end is \$159,000.00. There was an average of 102 uses per month in 2010.

2011 Fairground Rental Rates

Rushmore requested approval of the proposed 2011 Fairground Rental Rates. Holt asked who are our major competitors? Ms. Lisa Hanni replied if someone wants all of the frills it would be The Ritz Charles, Oak Hill Mansion or local hotels. The people that rent from us don't want to pay for all of the frills, they want the flexibility of our buildings and grounds. Holt asked if there is a no frills alternative? Hanni replied Hendricks County Fairgrounds or Boone County Fairgrounds; our location is what sells us. Holt moved to approve the 2011 Rental Rates. Dillinger seconded. Motion carried unanimously.

PRECINCT APPROVAL

Fall Election Precinct Approval

Ms. Kathy Richardson requested approval of the list of precincts for the 2010 Fall Election. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Electronic Voting Machine Reimbursement

Richardson reported she has been notified that the \$260,000 reimbursement for purchasing electronic voting machines is coming. These funds would need to be appropriated but they can be used for anything related to elections in the future. Holt asked if Richardson has any extra voting machines? Richardson stated if she had not gone to using one location for multiple precincts during the primary election we would not have had enough machines with the additional 10 precincts.

COMMUNITY DEVELOPMENT BLOCK GRANT

Request to Release CDBG Funds

Mr. Mark McConaghy requested approval of the Request for Release of Funds and Certification for Emergency Repair Grants in the amount of \$166,000 and \$4,000 for the Senior Citizens Organization insulation installation grant. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

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Section 106 Environmental Review Letter

McConaghy requested approval of a Section 106 Review Letter for the Owner Occupied Rehabilitation/Repair Program for the property located at 325 East Main Street, Westfield. McConaghy reported this is a replacement letter for one approved at the last meeting. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

South 8th Street Properties

McConaghy reported the properties on South 8th Street in Noblesville are moving forward and some minor demolition will be beginning soon.

HUMAN RESOURCES

Blood Draw for Employees

Ms. Sheena Randall stated the lab director at Riverview Hospital has recommended we schedule the time for the free employee blood draws November 1-19, 2010 instead of the original dates in December; this would allow the employees to fill out the Health Risk Assessment before the end of the year. Out of 815 employees we have had 590 complete the blood draw and the Sheriff's Department handles their own blood draws with a staff of 250. Holt asked if it has been advertised that it would be done in December? Randall replied no, Riverview wanted to wait to schedule the second draw until all the draws in the first cycle were completed. Holt asked if Randall is able to target the notice to employees that have not had the blood draw? Randall replied she will try. Holt confirmed that there is a financial incentive? Randall stated there is, they would not have to use their wellness benefit and the county would only pay \$17.00 per person verses \$300.00 per person. If the employee completes the blood draw and the health risk assessment they will pay \$10.00 less towards their health premium next year. Holt so moved. Dillinger seconded. Motion carried unanimously.

Insurance Rates for 2011

Randall requested approval of an increase in the health insurance premiums:

- Family plan increase of \$42.00 per pay period for a total of \$117.00 per pay period
- Single plan increase of \$13.00 per pay period for a total of \$63.00 per pay period

Holt so moved. Dillinger seconded. Motion carried unanimously.

Meritain Administrative Services Agreement

Randall requested approval of the Meritain Administrative Services Agreement dated as of April 1, 2010. Randall reported the agreement does reflect the changes Mike Howard made in the original draft. Holt so moved. Dillinger seconded. Motion carried unanimously.

Dillinger reported he has instructed Ms. Randall to call John Elmer when dealing with Meritain; she should not be using all of her time negotiating with Meritain, that is what we are paying John for.

Handbook Amendments

Reduction-in-Force (RIF) Policy

Randall requested approval of amendments to the employee handbook in Section 1.3.4 Reduction-In-Force Policy (RIF). The primary change is the number of days the employee would receive written notice, in the original ordinance is stated fourteen (14) days; it has been amended to nine (9) days in order to pay employees through the end of their pay period which is December 10, 2010. Howard suggested inserting between provided and paid a minimum of five (5) days. It will say "shall be provided a minimum of five (5) days". Howard reported notices will be given November 29, 30 and December 1 with the pay period ending December 12 with the last Friday being December 10. They will all receive at least seven (7) paid days after the notice is given so they will meet the minimum of five (5) days. If there would be a subsequent condition we would be giving them at least five (5) days paid. We are giving them nine (9) calendar days of the RIF and providing them with a minimum of five (5) days severance pay, we have the right to pay them more but we are assuring them a minimum of five (5) days. Holt stated the end of the sentence states they will receive paid leave through the end of the pay period following the date of their official notice of termination, so if the last day of the pay period is December 10th then wouldn't they receive pay through the 25th which carries them over and gives them another year of anniversary time? Howard suggested it say "shall be provided a minimum of five (5) days of paid leave until the end of the pay period after their date of notice of official termination." Howard stated we will have to notify them at least nine (9) calendar days in advance and pay them at least five (5) days of pay. Holt asked if the last sentence will be removed? Howard agreed – it will say "a minimum of five (5) days paid leave." Randall stated if we notify them on the 29th and the pay period ends on the 10th, which is in the pay period we are talking about. Howard replied it is too confusing to write it that way. We can not RIF someone for lack of payment if there is a fully funded line item. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

RIF Policy shall read as follows:

Employees who are affected by a termination of employment due to a reduction-in-force shall be provided *a minimum of nine (9) calendar days* written notice of the termination by their Elected Official or Department Head. *Employees who separate employment through a reduction-in-force shall be provided paid leave a minimum of five (5) days.*

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Part-Time Employees

Randall stated the definition of Part-Time Employee (Section 2.5) has been revised. Howard stated he has spoken with the benefits consultant and she suggested we work on the job descriptions and that the schedule for part-time employees be set at 35 hours or less per week, Howard suggested it be set at thirty-four (34) hours or less per week. Policy shall read as follows:

PART-TIME employees are those who are not assigned to a full-time, temporary or probationary status and who are not generally scheduled to work the County's full-time schedule.

The normal schedule for part-time employees must be thirty-four (34) hours or less per week. However, part-time employees may be required to work more than thirty-four (34) hours per week *on an emergency basis*, based on staffing and business needs of the County; but in no event shall any part-time employee work more than thirty-four (34) hours in more than twelve (12) work weeks in a calendar year.

In no event shall any part-time employee be permitted to work more than thirty-seven and one-half hours (37 ½) in any workweek without the express approval of the Board of Commissioners. It is the Elected Official and/or Department Head's responsibility to monitor proper scheduling of all part-time staff.

Part-time employees retain that status until expressly notified of a change. While part-time employees do receive all legally mandated benefits (such as worker's compensation and social security benefits), they are ineligible for all the County's other benefit programs. Part-time employees are eligible to participate in the County's deferred compensation program and the Employee Assistance Program.

Holt moved to approve the part-time employee section. Dillinger seconded. Motion carried unanimously.

Mr. Brad Davis asked if he will need to request an exception for the part-time employees hired for snow removal to allow them to work whatever time is needed? Dillinger replied yes. Holt moved to exempt emergency snow part-time employees from the 37 ½ hour work week in the event that it becomes necessary. Dillinger seconded. Motion carried unanimously. Randall asked if this should be included in the policy? The Commissioners replied no, this will be on a year by year basis.

Cellular Phone Policy

Howard reported he has reviewed the additional amendments concerning the cellular phone policy and they are in conformance of what has been discussed in prior meetings.

Section 4.10 Worker's Compensation add the following:

and payment for Cellular phone services (as outlined in the Hamilton County Cellular Services and Equipment Acknowledgement and Agreement)

Section 4.18 Short-Term Disability add the following:

and payment for Cellular phone services (as outlined in the Hamilton County Cellular Services and Equipment Acknowledgement and Agreement)

Section 5.4 Use of Cellular/Mobile Phones and Pagers add the following:

When in a non-pay status, employees will be billed by the County and will be responsible for the timely payment of the purchase of additional minutes of airtime, text messaging, etc. for personal use through the County's plan agreement with AT&T (as outlined in the Hamilton County Cellular Services and Equipment Acknowledgement and Agreement).

All reimbursement checks shall be made payable to the Hamilton County Treasurer's Office and forwarded to the ISS Department within fifteen (15) business days of the employee receiving a bill for excess charges over the employee's monthly plan limit or any other payments due to Hamilton County. Employee misuse of County cell phone services may be subject to disciplinary action up to and including termination.

Hamilton County Cellular Telephone Use Policy add the following under Enrollment and Additional Minutes:

When in a non-pay status, employees will be billed by the County and will be responsible for the timely payment of the purchase of additional minutes of airtime, text messaging, etc. for personal use through the County's plan agreement with AT&T as outlined in this Acknowledgement and Agreement.

Employee Acknowledgement Form add the following:

I acknowledge that all reimbursements from employees must be made payable to the Hamilton County Treasurer's office and forwarded to the ISS Department within 15 days.

Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Howard will prepare the amendments in Ordinance form for the Auditor to take to the next County Council meeting.

Health Insurance Amendments

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Randall reported the county's health insurance claim period begins January 1st; our plan anniversary is April 1st. Meritain and One Source Insurance have both recommended that the health insurance amendments all begin January 1st. An insurance committee meeting is scheduled for this week to discuss the amendments. Howard reported the benefits specialist has recommended those people (26 years or younger) must be in our plan by the plan anniversary date and we must have an open enrollment period with notice to the policy holders with that period being a minimum of 30 days. Howard asked if Randall has sent those notices out? Randall stated no, there are several questions the insurance committee will need to make recommendations for. Dillinger stated we have heard that this particular amendment becomes effective September 23, 2010. Howard stated it becomes effective on the first anniversary date after September 23, 2010. Dillinger stated he thinks we should have it effective on our anniversary date, which is April and give the employees from February 1st to April 1st for enrollment. Randall stated this will be outlined by the insurance committee this week.

Drug Court Deputy Prosecutor

Dillinger reported Lee Buckingham (Prosecutor Elect) has requested permission to pay for a part-time deputy prosecutor for the Drug Court through the grant with the expectations that when the grant money is gone that employee is gone. Holt so moved. Dillinger seconded. Coverdale stated this request has to go before the county council. Motion carried unanimously.

SHERIFF

Police Vehicle Replacements

Mr. Ryan Horine reported the Sheriff's department would like to purchase two (2) vehicles out of 2010 funds. They were planned purchases but were not part of the bid package awarded earlier in the year. The Commissioners direction was to find more than one vendor to submit quotes. Quotes were received as follows:

- Penske Chevrolet
 - Impala - \$21,226.06
 - Tahoe - \$27,207.47
 - No trade in values
 - Total cost - \$48,433.53
- Hare Chevrolet
 - Impala - \$20,682.00
 - Tahoe - \$26,412.00
 - Trade in - \$24,500.00
 - Total cost - \$22,594.00
- Dan Young Chevrolet
 - Impala - \$21,032.00
 - Tahoe - \$26,761.00
 - Trade in - \$25,300.00
 - Total cost - \$22,493.00

Horine reported there are seven (7) vehicles to be traded in and two (2) vehicles will be purchased, an Impala for the Paper Server Deputy and a Tahoe for a K-9 Officer. Horine stated there are still some older vehicles will be kept to be used as training vehicles instead of using new vehicles for the training at the academy. Holt moved to approve the quote from Dan Young Chevrolet. Dillinger seconded. Motion carried unanimously.

Sheriff Carter asked if this is the process the Commissioners want to follow in the future? Dillinger replied yes. Howard stated if you are quoting a whole fleet of new vehicles those will have to be bid or use the State bid, but for one or two vehicles this process will suffice. Dillinger stated the Commissioners will also need to know who the vehicles are for and what they are for and they would like to see the list in advance of the meeting. Horine clarified that the process for 2011 is he will request permission to advertise for the bids from the Commissioners then request funding from the County Council and then bids will be opened and then the bid will be awarded? Dillinger replied the Commissioners will need to approve who the cars will be assigned to, we need to evaluate our fleet and validate the reason for the existence of the vehicle. Carter suggested the fleet assignment document be given to the Commissioners now? Dillinger replied that would be fine. Horine asked if they want a list of each vehicle and who is driving it? Dillinger stated not only who is driving it but what their position is and why do they need a car, obviously if they are a road deputy that will not take an explanation but if it is someone other than a road deputy then we need to have some explanation of the reason they are getting a car. Holt asked if the K-9 units use the Tahoe's? Horine stated yes, that gives more space to the dogs and we find the medical bills are lower because we are not replacing legs, hips or the dog(s) as frequently. One dog can cost \$15,000 to \$18,000. Carter stated we have found that the return on the vehicle investment is pretty significant at the end. Horine stated the Tahoe has a higher trade in value in the south and the north.

Holt moved to adjourn. Dillinger seconded. Motion carried unanimously.

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IDEM Notice of Sewer Permit Application
Duke Energy – Noblesville
Hamilton Trace of Fishers – Fishers
Village of West Clay, Sections 10010A & 10010B – Carmel
IDEM Notice of Sewer Construction Permit Application
Avalon of Fishers, Section 5B
Crooked Stick Estates East – Carmel

Present

Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Dawn Coverdale, Auditor
Dan Stevens, Administrative Assistant to Commissioners
Kim Rauch, Administrative Assistant to Auditor
Michael Howard, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Jim Neal, County Highway Engineer
Joel Thurman, Highway Project Engineer
Brandi Wariner, Highway Public Service Representative
Tim Knapp, Highway Right-of-Way Manager
Matt Knight, Highway Bridge Program Engineer
Faraz Khan, Highway Staff Engineer
Kathy Howard, Highway Department Administrative Manager
Ryan Horine, Sheriff’s Department
Sheena Randall, Human Resources Director
Mark McConaghy, Noblesville Housing Authority
Chuck Rushmore, 4-H Buildings & Grounds Committee
Lisa Hannie, Purdue Extension
Susan Peterson, Purdue Extension
Kathy Richardson, Elections Office
Becki Wise, USI
Jeff Hill, Corradino LLC

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Dawn Coverdale, Auditor